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STATEMENT

AS TO THE

NATURE AND DUTIES OF THE OFFICE OF TREASURER
OF THE FACULTY OF ADVOCATES.

At a general meeting of the Faculty on the 24th February last, for the purpose of considering the Widows' Scheme, a report was laid on the table by the Curators of the Library, embracing various proposals for the regulation of the Library.

Among other suggestions in the Report, there is the following. "In particular, a majority of the Curators are of opinion that the salary of the Treasurer of the Faculty is an unnecessary expense, as effectual means may be devised for carrying on the responsible part of the office, through the instrumentality of the principal Librarian."

The Report was appointed to be taken into consideration, at an adjourned meeting of the Faculty, on 10th March.

Before acceding to the above proposition, (sanctioned, it is understood, by *three* out of *five* of the Curators) it is proper that a few particulars should

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be laid before the Faculty, relative to the nature and duties of the office of Treasurer, (an office, it is believed, nearly coeval with the existence of the Faculty itself,) and to the financial arrangements made by the Faculty, after the most mature deliberation, little more than twelve months ago.

When the present Treasurer succeeded to the office in the beginning of the year 1827, the distribution of the funds of the Faculty was as follows: The whole of the fees of intrants were in the first instance received by the Treasurer, but he immediately paid over one-half of them to the Curators, who had an account in their own name in the Bank of Scotland, on which they operated at pleasure. Out of this they paid the purchase and binding of books—the salaries of several of the officers of the Library—the rent of a house which they had taken in the Exchange—stationary, &c.

The Treasurer retained the other half of the fees of intrants. He also drew the interest of bonds, and all other funds belonging to the Faculty. From this he paid the salaries of various officers of the Faculty—annuities allowed to decayed members of the Faculty—their widows or other relations—insurance—and various miscellaneous accounts.

At this time no fixed salary was allowed the Treasurer. He had what was called the use of the floating money of the Faculty, not placed on permanent securities: That is, he kept no separate account with the Bank as an officer of the Faculty

—he mixed up their cash with his own—he drew the benefit of the whole interest on the floating funds in his hands, and the Faculty had his security only for their amount.

The present Treasurer altered this system immediately on coming into office. He opened an account with the Bank of Scotland merely as the officer of the Faculty—keeping his private cash account at a different bank. He still continued to draw the benefit of the interest on the balances in the Bank as before.

On coming into office, he received a balance from the late Treasurer of £1738. At this time the Curators had incurred a debt to the Bank of Scotland of near £4000, and the Bank declined making further advances. In these circumstances, it was necessary to have recourse to the Faculty, with the view of settling those difficulties, and of adopting such a permanent system of financial management as would prevent their recurrence.

Accordingly, the Faculty, at a meeting in July 1827, appointed a Committee, by whom the whole subject was thoroughly inquired into, and, after various delays, a Report was prepared, under the inspection of Sir James Moncreiff, Dean of Faculty, which was lodged in January 1828.

Into the expenditure of the Curators, as detailed in this Report, it is unnecessary now to enter; but it may be stated as the general impression of the Committee, that the chief cause of the excess in expense had been the want of the effective responsibility of a single officer.

A second and final report was made by the above Committee on the 22d November 1828, as far as regards the present subject, which is as follows.

“ The Faculty are referred to the former Report
“ of this Committee for information relative to the
“ existing state and management of their funds.

“ Since the date of that Report your Committee
“ have again fully considered the important sub-
“ ject committed to them, *and have ultimately come*
“ *to be unanimous in recommending the following*
“ *Resolutions as a general system to be observed in*
“ *the future management of the Faculty funds.*

“ 1. That from January 1829, the whole cash
“ transactions of the Faculty shall be committed to
“ the care of the Treasurer, security being found
“ by him to the extent of £2000 for his intromis-
“ sions.

“ 2. That, accordingly, from the above date, the
“ whole annual income arising to the Faculty, from
“ whatever source, shall be received by the Trea-
“ surer, and the whole expenditure, on whatever
“ account, paid by him ; and that steps shall be
“ taken by him towards the immediate liquidation
“ of the whole debts due by the Faculty.

“ 3. That the Treasurer shall open an account
“ with the bank in his name as Treasurer of the
“ Faculty, in which he shall be bound to deposit
“ the whole floating Funds belonging to the Fa-
“ culty, at no time retaining in his hands more than
“ £50, it being in the discretion of the Treasurer,
“ with the advice of his Committee, to vest such

“ sums in permanent security, from time to time, as
 “ may appear proper.

“ 4. That the interest arising on the Funds so
 “ deposited in the Bank by the Treasurer shall be-
 “ long to the Faculty, the Treasurer being allowed
 “ to take credit in his accounts annually for the
 “ sum of £80 * as salary and allowance for his
 “ trouble, and in full of all charge for clerk, sta-
 “ tionary, and postages.

“ 5. That in the books kept by him as Trea-
 “ surer, the whole expenditure on account of the
 “ Library shall be entered in one account, distin-
 “ guishing the amount paid for salaries, station-
 “ ary, and other items of expenditure, under dis-
 “ tinct heads or branches, so that the Faculty may
 “ at once perceive what the annual expense of
 “ maintaining the Library amounts to, and the
 “ particulars of that expense.

“ 6. That the Treasurer shall open an account
 “ in his books, in the name of the Curators of the
 “ Library, to the credit of which account he shall
 “ carry, at the commencement of each year, such
 “ annual sum as the Faculty shall think fit to de-
 “ termine; or if considered more eligible, such
 “ proportion of the entry-money and fees paid by
 “ each Intransit, as may be resolved upon; the
 “ amount to be exclusively devoted to the pur-
 “ chase and binding of Books or Manuscripts, and
 “ the expenses consequent thereon.

* This was fixed pretty nearly on an average of what the In-
 terest had amounted to for some years preceding.

“ 7. That, on the one hand, the Curators shall
 “ have no control over the funds, except to the
 “ extent of the sums so placed to their credit; and
 “ on the other hand, these sums shall be at their
 “ uncontrolled disposal.

“ 8. That if at any time it shall appear expedient
 “ to the Curators that a purchase of Books or Ma-
 “ nuscripts should be made, exceeding in value the
 “ sum then at their disposal, it shall be in their
 “ power to call a meeting of the Dean and Trea-
 “ surer, with their respective councils, to whom
 “ the proposed purchase may be submitted, and it
 “ shall be in the power of a *majority* * of the Cu-
 “ rators, and of the members so consulted, having
 “ due regard to the existing state of the funds, and
 “ the nature of the proposed purchase, to authorise
 “ the Curators to proceed with the purchase, and
 “ to make provision for payment thereof, either
 “ out of the general funds belonging to the Fa-
 “ culty, if then in a condition to permit this; or to
 “ take such other steps for the purpose as shall be
 “ judged most adviseable; it being declared that
 “ when a measure of this extraordinary nature is
 “ adopted, it shall be fully stated and explained to
 “ the Faculty at the first general meeting held
 “ thereafter.

“ 9. That the Curators shall be empowered to
 “ order stationary, shelving, or what may be ne-
 “ cessary for the interior accommodation of the

* This was altered in the General Meeting of the Faculty to
Two-thirds.

“ Library; and the accounts for the same, certified
 “ by the Curators, shall be paid by the Treasurer,
 “ and not out of the sum placed at the disposal of
 “ the Curators, and to be applied to the purchase
 “ of Books, Manuscripts, &c. as beforementioned.

“ 10. That the Treasurer, under the inspection
 “ of the Committee annually appointed by the Fa-
 “ culty to audit his accounts, shall prepare an ab-
 “ stract of the existing state of the funds, and of
 “ the income and expenditure of the Faculty, dur-
 “ ing the preceding year, which shall be printed
 “ and circulated by post to each member of the
 “ Faculty resident in Edinburgh, at least eight
 “ days previous to the meeting at which the annual
 “ report on the Treasurer’s accounts is to be consi-
 “ dered by the Faculty.

“ 11. That the Curators shall, in like manner,
 “ prepare and circulate an abstract of their intro-
 “ missions with the funds placed at their disposal,
 “ in so far as the same are not embraced by the
 “ Treasurer’s statement; the full state of their ac-
 “ counts being prepared and submitted to the Fa-
 “ culty at their anniversary meeting, as provided
 “ by the resolution of the Faculty in 1820.”

The report further contains a recommendation, that, in terms of the sixth resolution, £600 should be voted to the Curators for the use of the Library for the year 1829. That this sum was much greater than the disposeable fund which would have remained for the use of the Library under the old system, will appear from the following statement.

RECEIPTS OF THE CURATORS FOR THE YEAR 1829.

One-half of the Entry money of 10 Intrants,	£1000	0	0
One-half of small Fees of Intrants,	103	0	0
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	£1103	0	0

EXPENDITURE.

Interest due the Bank of Scotland on debt due to them of £3625, at 4 per cent.	£145	0	0
Half of Dr. Irving's salary,	200	0	0
Mr. Repp's whole salary,	150	0	0
Mr. James Haig's ditto,	125	0	0
Share of Mr. Ramsay's ditto, paid by Curators, the Treasurer paying £80,	50	0	0
Porter of Library,	52	0	0
Benjamin Bromley of London,	35	0	0
George Greenhill, ditto,	21	0	0
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	778	0	0
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Disposeable Fund,	£325	0	0

The above balance of £325 is all that would have remained for the purposes of the Library, and this without making allowance for any sinking fund for reduction of the debt due to the Bank of Scotland.

At a General Meeting of the Faculty, held on 29th November, 1828, the above Resolutions were unanimously approved of.

In compliance therewith, the Treasurer placed in the hands of the Dean of Faculty a bond of caution for £2000. But he thinks it fair to himself to state, that

previous to the meeting of the Committee (which he did not attend) he sent a letter to Sir James Moncreiff, then Dean of Faculty, offering, if the Committee, or the Faculty, should approve of it, to discharge the duties of the office gratuitously; at the same time, mentioning, that in such a case, security could not reasonably be expected. The Committee, on full consideration of the subject, were of opinion that it was better, as a permanent system, to fix a moderate remuneration, (indeed, nearly the same as had formerly been allowed in the shape of interest,) and to take security, as insuring more certainly the attention and responsibility of the officer.

The above letter was read by the Dean, from the chair, at the General Meeting which followed.—But the Faculty unanimously adopted the views of the Committee.

If the Faculty have now a different opinion on the subject, the Treasurer is perfectly ready to repeat the same offer.

A few observations may be added, as to the nature and duties of the office of Treasurer—the expediency of its being filled by a single individual,—and the unfitness of a numerous or frequently changing body to discharge its functions.

1. The Treasurer has the charge and custody of all the title-deeds, bonds, bills, contracts, or other engagements, whether incurred by or to the Fa-

culty. He has occasionally to uplift the bonds owing to them—to lend out money on securities of various kinds—to overlook and consider the discharges given—to arrange and pay insurances with five different offices—to enter into many engagements in name of the Faculty—to obtain bills on the sales under their copy-right of the Faculty Decisions, of which a considerable stock is still on hand—to preserve and receive payment of them—to communicate with all other bodies, or individuals, who have transactions with the Faculty—to pay salaries, pensions, and accounts owing by the Faculty. In many of the above particulars he truly supplies the place of an agent, and saves that charge to the Faculty. On all these matters, when attended with difficulty, he has the benefit of the advice of his Committee.

2. He takes charge of the whole cash transactions of the Faculty. Receives the fees of Intrants, interest of money, rents of houses, payment of Bonds and Bills due the Faculty, and operates upon the account of the Faculty with the Bank of Scotland. In this way sums amounting to near £12,000 have passed through his hands in each of the last two years.

3. He keeps regular books, and from these makes out annually his account of intromissions, which is laid before the Faculty, and lodged with the Head Librarian. At the annual audit which takes place under inspection of his Committee, his whole Books and correspondence are exhibited to them, and ex-

planation is given on every article of his intromissions, whether on the debit or credit side. The Gentlemen of his Committee will support him in saying, that no audit can be more strict and regular than that under which his accounts are annually passed.

4. The Treasurer is a Member of almost every Committee, the object of whose labours can in any way affect the pecuniary concerns of the Faculty. In these, the explanations which he can give of the state of the funds are useful, and he takes a pretty active part in their business, as well as in the general concerns of the Faculty.

5. The services of the Treasurer are likely to be peculiarly indispensable at present, when the Faculty are on the brink of so great and expensive an undertaking as the building of a new Library. The adjustment and superintendence of Contracts, the providing of funds, and the periodical advance of money, which must hence arise, will more than ever require the labour, attention and responsibility of a single officer, and find room for all the vigilance and economy which he can exert.

6. The chief use however of such an officer, in a permanent view, is the holding out a constant resistance to the carelessness and profusion, as to their funds, which are incident to all numerous bodies, and to their subordinate delegations. By being a member of their own body, acquainted with the subject, and in constant and easy intercourse with his brethren, the Treasurer is often enabled to prevent

expense by a little private explanation to individuals, without the trouble of public discussion. In this way it has in part arisen, that the pension list which, at the present Treasurer's appointment, amounted to between £300 and £400, has been now reduced to £200.

The foregoing remarks appear to show the expediency of having some selected individual to discharge duties so important. One or two observations may be added as to the alterations now proposed.

1. The precise plan of arrangement contemplated by the majority of the Curators is not explained; but, from the mention of the Head Librarian as the instrument of carrying it on, it is presumed that the intention is, that he should hold the management of the cash transactions under the Curators themselves, with whom he is chiefly connected. This would be in effect not merely restoring the system abolished by the Faculty, by their resolution of 29th November 1828; but restoring it in a much more dangerous form, viz., with regard to *the whole Funds* of the Faculty, instead of a *part*;—besides adding many other duties not formerly discharged by the Curators. The administration of the Curators of a fund under their own particular department, was thought so uneconomical as to induce the Faculty to place it under the care of the Treasurer. And now it seems to be proposed to place the whole funds under the administration of

the Curators, without check from any other officer.

2. Under the former system, the Head Librarian was nominally the cashier of the Curators (as seems to be now again proposed,) and the only audit which the Library accounts receive, it is believed, is that of the Curators themselves. But the Head Librarian keeps no account-books. The only book under this department is kept by Mr. James Haig, and is merely a small Cash or Day-Book, where articles are indiscriminately entered in the order of their dates. Accordingly, the Curators have always been obliged to resort to the assistance of a professional accountant to prepare the account of their annual intromissions laid before the Faculty. This seems to be a system but ill adapted to the management of the whole Financial concerns of the Faculty.

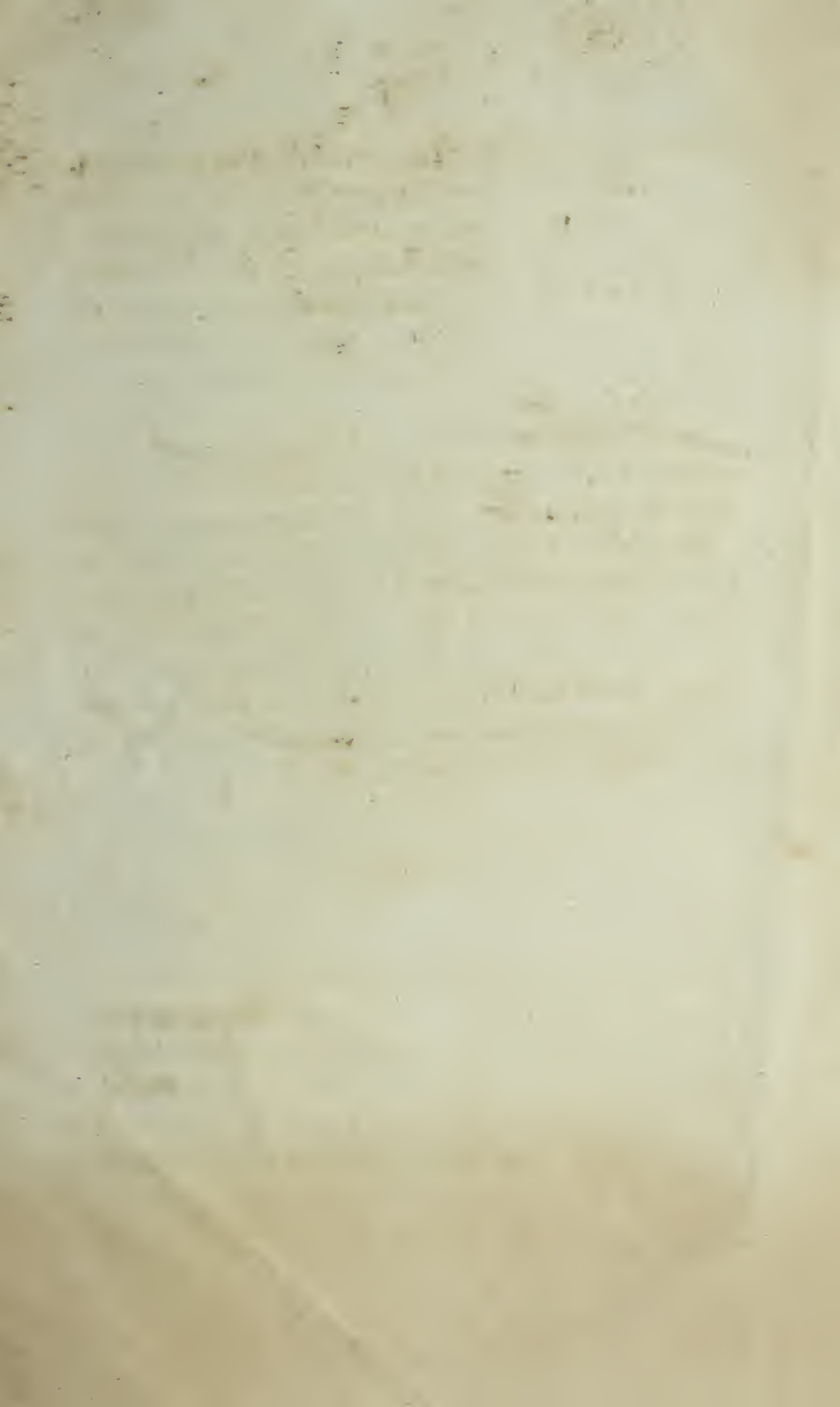
3. Were there no other objection, it does not appear that either the Curators, or the Head Librarian, could, consistently with their other important engagements, devote the time and attention requisite for discharging the various duties of the Treasurer, including many communications with individuals out of doors—attendance on Committees of the Faculty,—cash payments of all kinds, particularly advances for the new Library—correspondence, &c. What is meant by the words in the Report, “for carrying on the responsible part of “the office” is not very clear. All the duties of the Treasurer formerly enumerated seem to be important and responsible. One of those duties is his

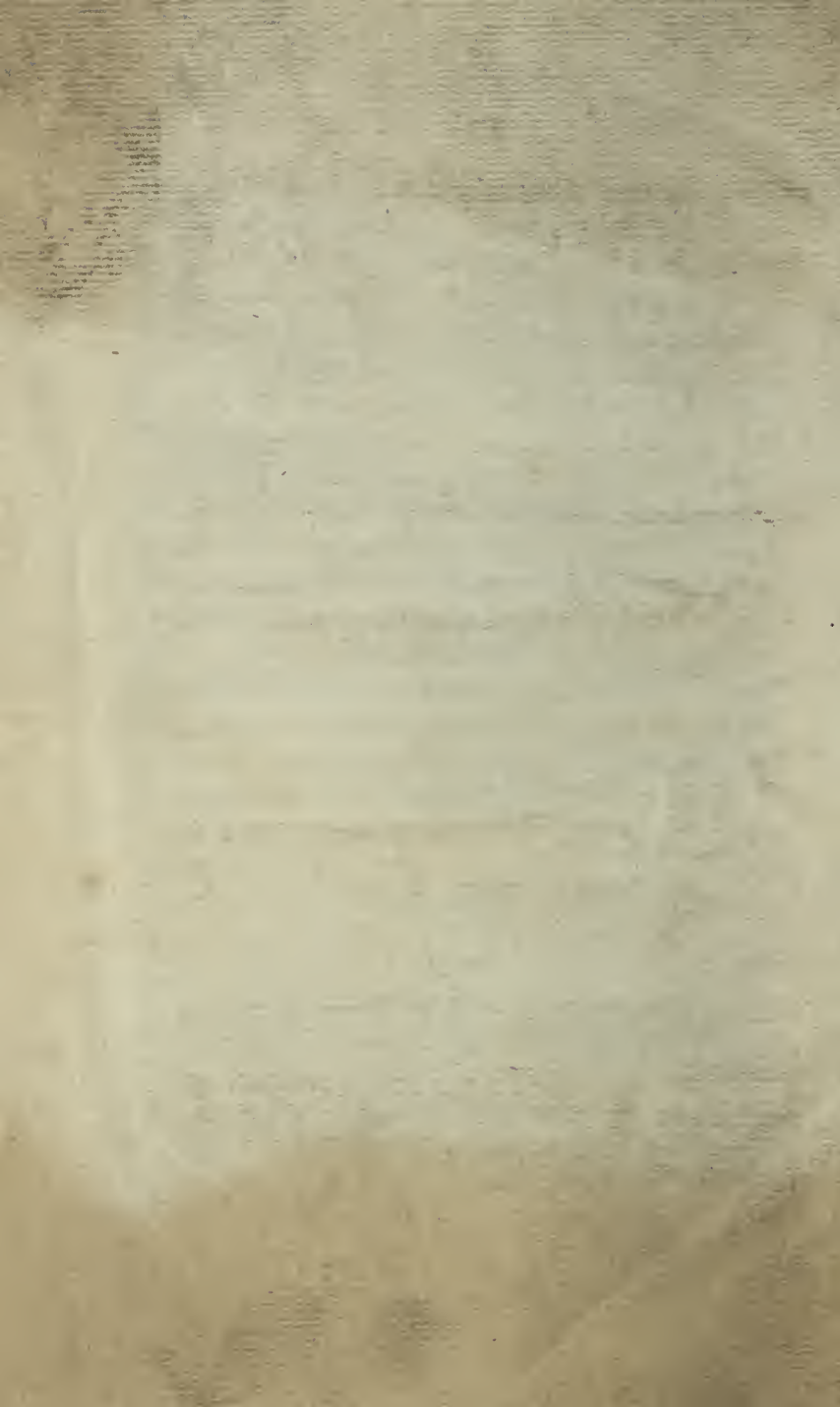
being a check on the expenses of the Curators themselves, should these ever exceed the sum allotted to them ; and this function could not well be discharged by their own Librarian. On the other hand, the Librarians are, in one department, a useful check on the Treasurer, viz. the numbers and fees of Intrants, which, in the first instance, go through their hands.

4. In addition to the general unfitness of a numerous body to keep books, and manage cash transactions, that unfitness is much increased when the body is changeable. In that of the Curators there is a regular change of at least one member every year. And we have lately seen the whole body resign twice within one year. A succession of this kind would be little favourable to the intimate knowledge, accuracy, and responsibility required for the management of financial affairs.

The Treasurer considered it his duty to lay the above particulars before the Faculty, that they may be able to form a correct judgment, when called upon to make so important a change on a matter so recently and so deliberately settled. In their determination, whatever it may be, he will respectfully acquiesce.

8th March, 1830.





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REPORT

OF THE

COMMITTEE APPOINTED BY THE FACULTY OF ADVOCATES TO CONSIDER, "WHETHER, IN THE PRESENT STATE OF THE FUNDS, IT IS EXPEDIENT THAT THERE SHOULD BE MORE THAN ONE COLLECTOR OF DECISIONS APPOINTED FOR EACH DIVISION OF THE COURT."

THE Committee appointed by the Faculty to consider, whether, in the present state of the Funds, it is expedient that there should be more than one Collector of Decisions appointed by the Faculty in each Division of the Court, have had several meetings, and have been furnished by the Treasurer and by the present Collectors, with all the information they required. The senior Collector had the goodness to attend a meeting of the Committee; and he stated, that he found the new forms of process rather to have increased, than diminished, his labours as a Collector; and it seemed to be his opinion, that, if there were only one Collector appointed for each Division of the Court, it would be difficult to secure that accuracy in the Reports which is so desirable. This gentleman was also of opinion

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that the office of Collector, under the appointment of the Faculty, was so desirable a mode of acquiring a knowledge of the profession, that there would be no difficulty in securing the services of members of the Faculty, well qualified for the duty, without any salary, or other pecuniary emolument. It further appeared, that, at present, the profits made by the Collectors from the sale of the Reports are very trifling, and *that they are gradually becoming less each year.*

From the Treasurer's accounts it appeared, that the annual expenses of the Faculty are so great, that a comparatively small sum can be placed at the disposal of the Curators for the purchase and binding of books.

From the accounts ending January 1833, it appeared that the expenditure exceeded the income by upwards of L. 200. This *deficit* arose although there were 14 entrants. But it is obvious that 14 cannot possibly be depended upon as an average. The number this year probably will not exceed 10. And in order to render the Faculty safe, their expenditure should be calculated upon a scale below the income arising from the average number.

Upon a review of all the circumstances of the case, the majority of the Committee are decidedly of opinion, that no more than two Collectors of Decisions should be appointed by the Faculty, one for each Division of the Court ; and that when vacan-

cies occur, they should not be filled up, so that the number of Collectors shall never exceed two. Nor do they apprehend that any evil or even inconvenience will thus arise; for the sufficiency of one Reporter for each Division is practically exemplified, by the experience of Messrs Shaw and Dunlop.

In coming to this conclusion, some of the Members of Committee are influenced, not merely by the state of the funds, but also by the conviction, that the time has now come when the Faculty, as a body, should no longer interfere in the publication of Reports, but should leave this matter to that free competition which, they are satisfied, will secure as efficient a system of reporting as any which the funds or direct patronage of the Faculty can obtain; and, on this footing, while they would desire to see an entire stop put to the expense incurred by the Faculty in this matter, yet, as this is not embraced by the remit made to them, they think it their duty to report that the evil, as they apprehend it to be, should be made as light as possible.

Other Members of the Committee who concur in this conclusion, do so exclusively with reference to the state of the Funds, and from their anxious desire to place at the disposal of the Curators of the Library a much larger sum than has been done for some years past. And, they are persuaded, that the only way of effecting this, is by the reduction of offices which, though useful, are not indispensable.

These Members of Committee are of opinion that the Library ought to be the first object to which the funds of the Faculty should be applied ; and being satisfied that there is no hazard either of the reports of the cases decided by the Court being discontinued, or of their being less accurate in future than they have been in time past, they concur in the opinion, that the services of two of the Collectors might safely be dispensed with.

On the other hand, some Members of the Committee do not think that either the state of the Funds, or any of the other circumstances above mentioned, require the Faculty to diminish the present establishment of Collectors, for the following reasons :

1. The question of continuing the Faculty Reports has been decided in the affirmative by the Faculty, after a minute and careful inquiry by a former Committee, regarding the amount of profits accruing to each of their Reporters, the usage of the English courts, and the circumstances in which the system of reporting differs here from those which characterize it in England. A reference to the Reasons of Dissent from the Report of the majority of that Committee (*vide* Appendix), will show the grounds on which it may be presumed that the Faculty came to the decision which they then adopted.

2. That no circumstances have since occurred of a nature at all calculated to improve the revenue of

the Reporters appointed by the Faculty, while the general principles laid down by the minority of the former Committee, and ratified by the Faculty, have, in the intervening period, lost none of their force.

3. That the number of Reporters at present appointed by the Faculty, appears to have been fixed after long and various experience. That at one period there were as many as nine Faculty Reporters, at another there were six, and again at others there were five in number ; but that, for a considerable period prior to the separation of the Court into two Divisions, there were two Reporters, and from the year 1808 downwards, there have been four, or in the ratio of two for each Division of the Court. That there have likewise been periods in which there was only one Faculty Reporter, but that, on referring to the facts which are now to be detailed, it will be found that these ought rather to serve as warnings, than as precedents. And first, the advertisement prefixed to the volume of the Faculty Collection, which begins with the month of February 1752, is in the following terms :—“ The Faculty of Advocates had been accustomed to charge
“ *one* of their number with the care of drawing up
“ and publishing an account of *the most remarkable*
“ *cases* decided in the Court of Session. *Such*
“ *a task* was found to require more time than
“ *any one Advocate* could bestow. It was there-

“*fore* judged expedient to commit this office to a “*certain number* of Advocates, who, *by dividing the work*, might, in some measure, answer the expectations of the Faculty.” Accordingly, *six* gentlemen of no small eminence are then appointed to perform the duty. From 1756 to 1760, there are *nine* Reporters; from 1760 to 1764, there are *six*; from 1765 to 1769, *eight*; and now comes the next warning: the volume of the Collection of Decisions, from 1769 to 1772 inclusive, is published by Mr Robert Hamilton in the year 1803. Mr Alexander Tait, it appears, *was* the *sole Reporter* for the period in question,—he dies having only just begun it,—it is then committed to the care of Mr William Tait, who is prevented, by press of business, from discharging the duty,—and at length, on his death, it is entrusted to Mr Hamilton, by whom it is executed in 1803.

Again, from 1772 to 1776, there is only one Reporter, Mr Wallace—he also dies in the midst of his labours, and the Decisions from January 1775 to 1777 are in consequence not published until the year 1810, some being reported by Messrs John Wylde and David Cathcart, the remainder by Mr Maxwell Morrison.

Notwithstanding past experience, there is again only *one* Reporter for the Faculty from 1778 to the middle of 1781, and something of the same kind again occurs; the Reports for the years

1780–81 are not published till 1783, it being also expressly stated that, in the mean time, *the whole original materials had been lost*. Four gentlemen assist in publishing the volume.

Again, from 1781 to 1787 there are *three* Reporters, and the earliest of the cases is not published until 1788. Thereafter, however, until the separation of the Court into two Divisions, there are always *two* Reporters, and since that period there have been always four Reporters.

4. That, until the year 1825, there was no competition whatever, nor were the Reporters required to publish the successive numbers sooner than they found it convenient to do so, which necessarily rendered the discharge of duty much lighter than it now is.

5. That it does not appear that the change which has taken place in the forms of Court has rendered the task of reporting easier, while it may have tended to increase the number of decisions in which a principle is manifestly involved, and which, therefore, it is incumbent on the Reporters, appointed by the Faculty, to include in their publication.

6. That the Delegation of Duty by those selected by the Faculty, to others, is inexpedient, and inconsistent with the principle of selection; but that it appears to be frequently unavoidable, as in the event of illness, sudden call of business, or the like, if the number of Reporters is diminished.

7. That on a reference to the past history of the Publication, it appears that the situation of Faculty Reporter was seldom held for so long a period as five years. It may therefore, perhaps, be expedient for the Faculty to determine, whether the period during which it shall be understood that the Reporters shall continue in office, shall be limited to some definite period.

8. In regard to any argument for the diminution of the number of the Reporters, founded on the state of the Funds of the Faculty, a matter which, from the terms of the Remit to your Committee, they considered themselves bound to have in view, it does not appear that it can at present be known with any certainty that the number of entrants may not amount, previous to January next, to the average number; since it appears, from a return by Mr Haig, that, on an average of the last five years, the number has not been greater, previous to the winter session, than have already come forward during the present year. Besides, although there ultimately may be a falling off of entrants during the present year, no evidence has been laid before your Committee, to shew that this diminution has proceeded from causes of a permanent nature, or that a similar result may, for the future, be anticipated.

9. That whatever other suggestions may be offered by the Faculty for the improvement of their

Publication, it therefore humbly appears to several Members of your Committee, to be inexpedient either to diminish the number of Reporters, or to deprive them of any proportion of the Salary at present paid to them.

All which is humbly reported to the Faculty by

J. S. MORE, *Convener*.

EDINBURGH, 6th December 1833.

APPENDIX.

*EXTRACT from REPORT OF COMMITTEE
appointed by the FACULTY, 10th March 1830, —
referred to at page 5.*

1. We have learnt from the Collectors, and seen their statement substantiated by the correspondence between one of their number and the Publisher, that he had made an offer, for the whole copies published from the time of their appointment in the year 1825, until November 1830, of L. 350, or L. 410 under deduction of the sum of L. 60, due to him by the Collectors, as above stated; and we have been assured that they were about to accept that offer, when the transaction was interrupted by the doubts occasioned in the mind of the publisher (on hearing of the present inquiry), whether the Faculty Reports were intended to be continued.

2. We consider it to be an object highly important, both to the character of the Faculty, and to the interests of the law of Scotland, that the Faculty Reports should be continued upon the principle which, in time past, has guided the Reporters, viz. that of selecting for collection such cases as involve general points of law, to the exclusion of all cases the interest of which depends upon the magnitude of the stake at issue between the parties, the notoriety of the proceedings, or any other adventitious cir-

cumstance unconnected with the value of the decision pronounced by the Court, as constituting a precedent.

3. It appears to us, that such a series of reports, however valuable and important, in a general view, to the best interests of the profession, and the future advancement of the science of law in this country, is by no means likely to be so popular, or to obtain so wide circulation, as a set of reports conducted upon the more indiscriminate plan, of reporting every, or nearly every case. On the contrary, we conceive it to be perfectly clear, that without the additional support of the salaries allowed to the Faculty Reporters, they never can maintain a competition with the rival reports, which in late years they have had to encounter.

4. We are perfectly satisfied, from an examination of the Reporters' accounts and profits for the few last years, that the support of the salaries allowed to them by the Faculty is more necessary now than ever it was; since, in former years, they enjoyed a comparative monopoly, which of late has been completely destroyed.

5. We therefore are clearly of opinion, that the Faculty ought not to withdraw the salaries at present allowed for the Reports.

A. ALISON.

H. J. ROBERTSON.

E. D. SANDFORD.

CHARLES FERGUSSON.

